

**MINUTES**  
**SANDY CITY COUNCIL MEETING**

Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**FEBRUARY 28, 2006**

Meeting was commenced at 7:05 p.m.

**PRESENT:**

**Council Members:** Chairman Steve Fairbanks, Vice Chairman Linda Martinez Saville, Bryant Anderson, Scott Cowdell, Chris McCandless, Stephen Smith, and Dennis Tenney

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Public Works Director Rick Smith; Economic Development Director Randy Sant; Deputy to the Mayor John Hiskey; Parks & Recreation Director Nancy Shay; Parks & Recreation Deputy Director Scott Earl; Assistant CAO James Davidson; Council Office Manager Naleen Wright

**ABSENT/EXCUSED:**

Council Office Director Phil Glenn (back surgery)

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by Boy Scout Jeremy Peart of Troop #380, and the Pledge was led by Levi Fackrell of Troop #866.

2. **CITIZEN(S) COMMENTS:**

- a. **Dave Nicholson**, 9609 So. 835 East, reported that residents have some concerns about the construction project on 700 East. He felt the contractor should be required to wet down the dirt on a frequent basis, so dust will not blow on windy days. He also noted that the intersection of New England and 9600 South no longer has street lights at the intersection, because of the construction. Mr. Nicholson stated that this is a very dangerous intersection and lighting is needed.

Residents have also complained that the construction company parks large trucks near the intersections of roadways entering onto 700 East, which inhibits visibility when coming out of a neighborhood side street. Mr. Nicholson suggested that some type of signage be placed in the street under construction (700 East) to show the entrance of each side street.

**Public Works Director Rick Smith** reported that he had received Mr. Nichols' e-mail. He has since contacted the PR representative for the construction company to advise them of the concerns of the neighborhood. The representative indicated that they will be discussing the problems itemized by Mr. Nicholson, and they will try to find ways to remedy them.

Mr. Smith stated that he had also contacted UDOT's Mike Gladbach. He advised him of the problems expressed by Mr. Nichols. They will be getting back to him shortly. As to the "in street" signage proposed by Mr. Nicholson, it is illegal. Mr. Smith stated that there are some ways that the City may be able to help resolve some of these concerns.

**Linda Martinez Saville** reported that she too had received e-mails from resident affected by the road construction. Some have claimed that their cupboards have actually fallen off their walls due to the vibrations caused by the road construction.

**Steve Fairbanks** expressed his desire that Staff arrange a meeting with the residents and UDOT. He also asked that Staff notify residents who believe that they have experienced damage, who they should contact.

**Chris McCandless** commented that this meeting should also include a representative from City Staff.

**Rick Smith** reported that the 700 East road project will continue for several months.

**PUBLIC HEARING(S):**

**3. Krinke Street Vacation-Closure- 8585 South 100 East**

**Public Hearing to consider the request of Mr. John Krinke, who owns property at 8585 South 100 East, who has filed a request that the City Council vacate or close a portion of the street at 8585 South 100 East. The subject property has never been constructed as a public street and has been used as the applicant's driveway and yard for a number of years. The applicant would like to officially include this additional right-of-way as part of his property.**

**DISCUSSION:** **Mike Coulam** showed the Council, on maps, the location for the proposed street vacation or closure. He indicated that the City only needs to maintain title to a portion of the property for future sidewalk, curb and gutter, and the remaining parcel of property can be closed or vacated to the applicant, depending upon the Council's decision. The subject property has never been constructed as a public street, and it has been used as the applicant's driveway and yard for a number of years. The City's Traffic Engineer, Public Works and the Community Development Departments, and the Planning Commission, recommend that the Council close or vacate this parcel.

**Chris McCandless** stated that he did not understand how the City could consider charging for property that we did not pay for originally.

**Mike Coulam** clarified that if the Council chooses to "vacate" the property, the property would be "divided amongst the adjacent and abutting property owners." If the Council chooses to "close" the parcel, the property is then appraised and this total is added to the filing costs and fees to transfer ownership. This total cost is then assessed to the individual wishing to purchase the property (in this case Mr. Krinke). Mr. Coulam indicated that as this property does have value, he felt it should be sold, not given to the applicant. He stated that Economic Development Director Randy Sant would be responsible to negotiate the purchase price of the property with the applicant. As part of the Historic Sandy Master Plan, Staff are trying to enhance and upgrade this area.

**The public hearing was opened.**

**Mr. Krinke**, thanked Councilman McCandless for his input. He said, I feel that I am bringing a new vitality to that neighborhood. I have cleaned up this property and increased the attractiveness of it. I have been working hard to make a clean and healthful area, where before this was a weedy overgrown parcel." Mr. Krinke stated that he had spent quite a bit of money on surveyors to get to this point, and he would like to get the ownership issue resolved. Mr. Krinke would like legal and real title to this small parcel. He said that he plans on living at his current address and probably retiring there.

**Noal Ballicher**, 1115 Susan Drive, reported that his parents bought the home before Mr. Krinke in 1951. He commented that this parcel was used as a driveway prior to 1951. Mr. Ballicher asked the Council to rule favorably on Mr. Krinke's request. He said, "You ought to give him that land."

**The public hearing was closed, as there were no further comments.**

**COUNCIL DISCUSSION:**

**Scott Cowdell** stated that it was his recollection that the Council's policy was to charge for only those costs associated with drawing up and recording of the new deed. He believes a precedent has already been set.

**Bryant Anderson** requested that the City Attorney advise the Council on the legality of Mr. Cowdell's proposal.

**Steve Fairbanks** commented that, it appeared to him, for the past 50 years this parcel has not been an asset to the City.

**City Attorney Walter Miller** reminded the Council that "gifting" can become a misunderstood action on the part of

the City. The Council needs to be careful to maintain some policy consistency. He suggested that he be allowed to bring back a recommendation, next week, and then the Council can make their final decision. He noted that this parcel of land is not a marketable/buildable lot.

**Mike Coulam** recommended that the Council approve closing the road. Randy Sant could then bring back the costs to deed this parcel to the applicant.

**Scott Cowdell** commented, "Had we (the Council) had this information for this parcel during this public hearing, a decision could have been made tonight.

**Mr. Krinke** reminded the Council that he has spent a lot of time and money to cleanup this property.

**#1**

**MOTION:** **Chris McCandless made the motion to have documents brought back to approve "Closure" of the aforementioned parcel. The applicant shall be required to pay all filing and report costs to the City.**

**SECOND:** **Bryant Anderson**

**SUBSTITUTE MOTION:**

**#2**

**MOTION:** **Bryant Anderson made the motion to allow Staff to bring back papers to close the property and bring back a recommendation as to the cost to purchase this parcel by Mr. Krinke.**

**SECOND:** **Dennis Tenney**

**VOTE:** **Anderson- Yes, Tenney- Yes, Fairbanks- Yes, Winder- Yes, Saville- Yes, McCandless- Yes, Cowdell- \*No**

**MOTION PASSED**

**6 in favor, 1 opposed**

**\*Scott Cowdell** said he voted "no", because he recollected that past Council actions, on small unbuildable parcels such as this, resulted in the property being given to the applicant. As an example he listed several parcels along 90<sup>th</sup> South.

#### **COUNCIL ITEMS:**

##### **4. Community Development, Projects Review**

**DISCUSSION:** **Community Development Director Mike Coulam** went through a comprehensive list of projects either under review, under construction, completed or planned. See Exhibit "A".

##### **5. Bonneville Shoreline Trail Update NEPA [National Environmental Protection Act]**

**DISCUSSION:** **Assistant Director of Parks & Recreation Scott Earl** provided an update on the Bonneville Shoreline Trail. He reported that the Forest Service has implemented an environmental impact study on the portion of the trail running from Parleys Canyon south to Hidden Valley Park. The consulting firm of Bear West has been hired by the Forest Service to do this study. Construction will begin when the study is completed.

##### **6. MAYOR'S REPORT:**

- a. **Mayor Dolan** reported that the legislation, allowing cities to impose Impact fees on commercial development to pay for fire department ladder trucks, passed today. The Commercial Fire Code will require Sandy to have more than one ladder truck in its fleet. A ladder truck that can reach 75 feet or above will cost the City approximately \$1.2 million dollars, and another \$200,000 to equip it. Ladder trucks of this size are needed for buildings with more than five stories.
- b. RDA Legislation is up tomorrow. We are hoping it will pass. An increase for TRAX money is going to the Senate, and it will be voted on tomorrow. **John Hiskey** noted that the Mayor's presence at the Legislature has been very helpful.

- c. The **Deseret News** printed a positive article about the funding mechanism for the REAL Soccer Stadium. The County, reportedly, will be using a different funding mechanism to bond for the \$35 million. They will do this within the next 90 days. Negotiations are going better now than ever before. REAL is looking for others to partner with them to develop the property.

8. **CAO'S REPORT:**

- a. **Mike Coulam** reported that there will be a meeting on the Historic Sandy Master Plan tomorrow night at 6:00 p.m.

9. **COUNCIL OFFICE DIRECTOR'S REPORT:**

- a. **Phil Glenn** was absent due to surgery. **Naleen Wright** provided reminders to the Council of the Taste of Sandy event, and tickets were passed out for a movie sponsored by the Living Planet Aquarium at the Jordan Commons.

10. **OTHER COUNCIL BUSINESS:**

- a. **Dennis Tenney** asked for an update regarding the City's possible purchase of property at 10000 South for a commuter rail station.

**Randy Sandy indicated that he had** contacted Dan Simons, and had made an offer for the property. We have sixty days to do due diligence, and 90 days to sign. The purchase price is subject to doing an appraisal.

**Dennis Tenney** stated that he felt it would be helpful to have some sort of a cost benefit analysis done showing what the City will get out of purchasing this property.

**Randy Sant** stated that he will report back to the Council when a price is obtained. He indicated that the City has put \$1,000 down on the property, and we will forfeit this money if the deal does not go through.

**Bryant Anderson** felt it would be beneficial to meet with South Jordan regarding this commuter rail station.

**Chris McCandless** felt we should let UTA know we are taking a proactive stance on the future of commuter rail.

- b. **Scott Cowdell** stated that he would like to see a \$30,000 line item (beyond what is normally budgeted) for the Sandy Senior Citizens Center. He also felt the City should indicate whether it will continue to fund the Boys & Girls Club, and the Sandy Chamber. He felt these agencies should be informed of the City's intent.
- a. **Scott Cowdell** reported that Deseret Industries would like to stay in Sandy. Draper City does not want them to come to their city. He felt the City should be aggressive and pursue them staying in Sandy. Mr. Cowdell suggested that the old Fred Meyer location be considered. He asked Staff to look into this.

**Linda Martinez Saville** asked what properties Deseret Industries have said no to.

**Mike Coulam** reported that they called **Byron Jorgenson** two years ago. They then looked at every potential vacant spot in the City, including: Reams, Macs, and several other options. Reportedly, they can not seem to find the size parcel they need.

**Randy Sant** said he would pursue it further.

- c. **Scott Cowdell** expressed his appreciation of the letter written by **Chris McCandless**. The letter requested

that the Council consider changing its weekly meeting schedule to two City Council meetings per month, and having four Planning Meetings per month. At this time, it does not appear that we require much more meeting time than that. In his opinion, the Council could take a cut in pay. That savings could be used to help pay medical benefits for employees. It would save money spent on dinners. Mr. Cowdell stated that he, personally, doesn't believe in having meetings just to have them. He said, "If we are having them, let's get something done." He suggested that **Phil Glenn** be asked to prepare a cost evaluation.

**Chris McCandless** stated that he had spoken with **Phil Glenn** regarding the possibility of decreasing the number of Council meetings. Mr. McCandless suggested that the evenings not used for Council Meetings could be used to have the Council be more proactive in the community. The Council would have the opportunity to go out as ambassadors of the City to promote the City. They could visit Sandy businesses, visit the Public Works Shops, spend a shift at a fire station, or any other activity that will better educate the Council as how the City works. On four nights, Mr. McCandless suggested having dinner at a local restaurant, and invite the owner to dine with us. The owner's input about the City's operation could be very valuable.

It was determined that further discussion of this issue would be scheduled for an upcoming meeting.

**At approximately 8:57 p.m., Chris McCandless made a motion to adjourn Council Meeting, motion seconded by Dennis Tenney.**

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Steve Fairbanks**  
**Council Chairman**

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**Naleen Wright**  
**Council Office Manager**